

# **“Exhibit A”**

Court of Common Pleas of Philadelphia County  
Trial Division  
**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)

**NOVEMBER 2010****001848**

E-Filing Number: 1011018894

PLAINTIFF'S NAME  
ROSEMARIE MERWITZ

DEFENDANT'S NAME  
ALLIS CHALMERS CORPORATION

PLAINTIFF'S ADDRESS  
42 TEAL DRIVE  
LANGHORNE PA 19047

DEFENDANT'S ADDRESS  
C/O CT CORPORATION SYSTEM 116 PINE STREET  
SUITE 320  
HARRISBURG PA 17101

PLAINTIFF'S NAME

DEFENDANT'S NAME  
BUFFALO PUMPS

PLAINTIFF'S ADDRESS

DEFENDANT'S ADDRESS  
874 OLIVER STREET  
NORTH TONAWANDA NY 14120

PLAINTIFF'S NAME

DEFENDANT'S NAME  
EATON CORP., AS SUCCESSOR IN INTEREST TO  
VICKERS, INC.

PLAINTIFF'S ADDRESS

DEFENDANT'S ADDRESS  
1111 SUPERIOR AVENUE  
CLEVELAND OH 44117

TOTAL NUMBER OF PLAINTIFFS

1

TOTAL NUMBER OF DEFENDANTS

18

COMMENCEMENT OF ACTION

☒ Complaint☐ Petition Action☐ Notice of Appeal☐ Writ of Summons☐ Transfer From Other Jurisdictions

AMOUNT IN CONTROVERSY

☐ \$50,000.00 or less☒ More than \$50,000.00

COURT PROGRAMS

☐ Arbitration☒ Jury☐ Non-Jury☐ Other:☐ Mass Tort☐ Savings Action☐ Petition☐ Commerce☐ Minor Court Appeal☐ Statutory Appeals☐ Settlement☐ Minors☐ W/D/Survival

CASE TYPE AND CODE

2T - TOXIC TORT PERSONAL INJURY

STATUTORY BASIS FOR CAUSE OF ACTION

RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)

**FILED  
PROTHONOTARY**IS CASE SUBJECT TO  
COORDINATION ORDER?

YES

NO

NOV 11 2010

M. TIERNEY

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: ROSEMARIE MERWITZ

Papers may be served at the address set forth below.

NAME OF PLAINTIFFS/PETITIONER'S/APPELLANT'S ATTORNEY  
THOMAS R. ANAPOL

ADDRESS  
1710 SPRUCE STREET  
PHILADELPHIA PA 19103

PHONE NUMBER  
(215) 790-4572

FAX NUMBER  
(215) 875-7707

SUPREME COURT IDENTIFICATION NO.  
62121

E-MAIL ADDRESS  
tanapol@anapolschwartz.com

SIGNATURE OF FILING ATTORNEY OR PARTY  
THOMAS ANAPOL

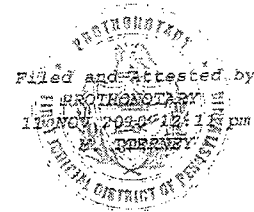
DATE SUBMITTED  
Thursday, November 11, 2010, 12:11 pm

FINAL COPY (Approved by the Prothonotary Clerk)

**COMPLETE LIST OF DEFENDANTS:**

1. DOVER CORPORATION, AS SUCCESSOR IN INTEREST TO BLACKMER PUMP  
280 PARK AVENUE  
NEW YORK NY 10017
2. CBS CORPORATION, F/K/A WESTINGHOUSE ELECTRIC CORPORATION  
C/O CORPORATION SERVICE CO. 2704 COMMERCE DRIVE SUITE B  
HARRISBURG PA 17110
3. WEIL PUMP COMPANY  
W57 N14363 DOERR WAY P.O. BOX 887  
CEDARBURG WI 53012
4. WATTS INDUSTRIES, AS SUCCESSOR IN INTEREST TO LESLIE CONTROL  
815 CHESTNUT AVENUE  
NORTH ANDOVER MA 01845
5. WARREN PUMPS, LLC  
C/O CORPORATION SERVICE CO. 2711 CENTERVILLE ROAD SUITE 400  
WILMINGTON DE 19808
6. SQUARE D COMPANY  
LEGAL DEPARTMENT EXECUTIVE PLAZA  
PALATINE IL 60067
7. ROCKBESTOS  
C.T. CORPORATION C/O U.S. CORPORATION 2704 COMMERCE DRIVE, SUITE B  
HARRISBURG PA 17110
8. METROPOLITAN LIFE INSURANCE COMPANY  
27-01 QUEENS PLAZA NORTH  
LONG ISLAND NY 11101
9. IMO INDUSTRIES, INC., AS SUCCESSOR AND F/K/A DELAVAL TURBINE  
2711 CENTERVILLE ROAD SUITE 400  
WILMINGTON DE 19808
10. HOWDEN BUFFALO, INC. SUCCESSOR IN INTEREST TO BUFFALO FORGE  
2029 WEST DEKALB STREET  
CAMDEN SC 29020
11. GTE PRODUCTS OF CONNECTICUT CORPORATION  
140 WEST STREET 21ST FLOOR  
NEW YORK NY 10007
12. GREENE TWEED & COMPANY, INC.  
DETWEILER ROAD  
KULPSVILLE PA 19443
13. THE GORMAN RUPP COMPANY, SUCCESSOR IN INTEREST TO CH WHEELER  
305 SOUTH BOWMAN STREET  
MANSFIELD OH 44903
14. GENERAL ELECTRIC COMPANY  
C/O CT CORPORATION 100 PINE STREET SUITE 325  
HARRISBURG PA 17101
15. FLOWSERVE CORP. AS SUCCESSOR IN INTEREST TO WORTHINGTON PUMP  
C/O CT CORPORATION SYSTEM 116 PINE STREET SUITE 320  
HARRISBURG PA 17101
16. EATON CORP., AS SUCCESSOR IN INTEREST TO VICKERS, INC.  
1111 SUPERIOR AVENUE  
CLEVELAND OH 44117
17. BUFFALO PUMPS  
874 OLIVER STREET  
NORTH TONAWANDA NY 14120
18. ALLIS CHALMERS CORPORATION  
C/O CT CORPORATION SYSTEM 116 PINE STREET SUITE 320  
HARRISBURG PA 17101

ANAPOL, SCHWARTZ, WEISS, COHAN, FELDMAN & SMALLEY  
BY: LAWRENCE R. COHAN, ESQUIRE  
THOMAS R. ANAPOL, ESQUIRE  
I.D. NOS.: 30546; 62121;  
1710 Spruce Street  
Philadelphia, PA 19103  
(215) 735-1130



Rosemarie Merwitz, Administratrix of the Estate of  
Edward Merwitz, Deceased, and Rosemarie  
Mervitz, in her own right  
42 Teal Drive  
Langhorne, PA 19047

COURT OF COMMON PLEAS  
PHILADELPHIA, PA

ASBESTOS CASE

vs.

November TERM, 2010

ALLIS CHALMERS CORPORATION., et al

JURY TRIAL DEMANDED

**NOTICE**

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

Philadelphia Bar Association and Lawyer Referral Service  
1101 Market Street, 11th floor  
Philadelphia, PA 19107-2911  
(215) 238-6333

DEFENDANT'S ADDRESSES

ALLIS-CHALMERS CORPORATION  
c/o C.T. Corporation System  
116 Pine Street, Suite 320  
Harrisburg, PA 17101

BUFFALO PUMPS  
874 Oliver Street  
North Tonawanda, NY 14120

CBS CORPORATION  
f/k/a Westinghouse Electric Corporation  
c/o Corporation Service Company  
2704 Commerce Drive, Suite B  
Harrisburg, PA 17110

DOVER CORPORATION  
280 Park Avenue  
New York, NY 10017

EATON CORPORATION  
Eaton Center  
1111 Superior Avenue  
Cleveland, OH 44117

FLOWSERVE CORPORATION  
c/o C.T. Corporation System  
116 Pine Street, Suite 320  
Harrisburg, PA 17101

GENERAL ELECTRIC COMPANY  
c/o C.T. Corporation  
100 Pine Street, Suite 325  
Harrisburg, PA 17101

THE GORMAN RUPP COMPANY  
305 South Bowman Street  
Mansfield, OH 44903

GREENE TWEED & COMPANY, INC.  
Detweiler Road  
Kulpville, PA 19443

GTE PRODUCTS OF CONNECTICUT CORPORATION  
As successor in interest to Clark Control  
140 West Street, 21<sup>st</sup> Floor  
New York, NY 10007

HOWDEN BUFFALO, INC.  
2029 West Dekalb Street  
Camden, SC 29020

IMO INDUSTRIES, INC.  
2711 Centerville Road  
Suite 400  
Wilmington, DE 19808

METROPOLITAN LIFE INSURANCE COMPANY  
27-01 Queens Plaza North  
Long Island, New York 11101

ROCKBESTOS  
C.T. Corporation  
c/o U.S. Corporation  
2704 Commerce Drive, Suite B  
Harrisburg, PA 17110

SQUARE D COMPANY  
Legal Department  
Executive Plaza  
Palatine, Illinois 60067

WARREN PUMPS, LLC  
c/o Corporation Service Company  
2711 Centerville Road, Suite 400  
Wilmington, DE 19808

WATTS INDUSTRIES, INC.  
815 Chestnut Avenue  
North Andover, MA 01845

WEIL PUMP COMPANY  
W57 N14363 Doerr Way  
P.O. Box 887  
Cedarburg, WI 53012

ANAPOL, SCHWARTZ, WEISS, COHAN, FELDMAN & SMALLEY  
 BY: LAWRENCE R. COHAN, ESQUIRE  
 THOMAS R. ANAPOL, ESQUIRE  
 I.D. NOS.: 30546; 62121  
 1710 Spruce Street  
 Philadelphia, PA 19103  
 (215) 735-1130

Rosemarie Merwitz, Administratrix of the Estate of  
 Edward Merwitz, Deceased, and Rosemarie  
 Merwitz, in her own right  
 42 Teal Drive  
 Langhorne, PA 19047

vs.

ALLIS CHALMERS CORPORATION  
 BUFFALO PUMPS  
 CBS CORPORATION, a Delaware corporation  
 f/k/a Westinghouse Electric Corporation  
 402 DOVER CORPORATION, as successor  
 in interest to Blackmer Pump Company  
 434 EATON CORPORATION, as successor  
 in interest to Vickers, Inc.  
 FLOWSERVE CORPORATION, as  
 Successor in interest to Worthington Pumps  
 THE GORMAN RUPP COMPANY,  
 As successor in interest to C.H. Wheeler  
 064 GENERAL ELECTRIC COMPANY  
 132 GREENE TWEED & COMPANY, INC.  
 GTE PRODUCTS OF CONNECTICUT, as  
 Successor in interest to Clark Control  
 HOWDEN BUFFALO, INC. as successor  
 in interest to Buffalo Forge Company  
 IMO INDUSTRIES, INC., as successor in  
 interest to and f/k/a DeLaval Turbine,  
 Transamerica DeLaval and Imo DeLaval;  
 METROPOLITAN LIFE INSURANCE CO.  
 425 ROCKBESTOS, f/k/a Rock Bestos Company  
 SQUARE D COMPANY  
 WARREN PUMPS, LLC  
 WATTS INDUSTRIES, as successor in interest  
 to Leslie Control Valves  
 WEIL PUMP COMPANY

COURT OF COMMON PLEAS  
 PHILADELPHIA, PA

ASBESTOS CASE

November TERM, 2010

NO. 001848

JURY TRIAL DEMANDED

**COMPLAINT - CIVIL ACTION (2. Personal Injury)**  
**26035/2090 Asbestos**

Pursuant to an Order dated July 30, 1986, signed by the Honorable Richard B. Klein and the Honorable Edward J. Blake, the following short form Complaint is utilized in this asbestos action.

1. The Plaintiffs in the instant matter are:

- a. Rosemarie Merwitz, Administratrix  
(Plaintiff-Spouse)  
42 Teal Drive  
Langhorne, Pennsylvania 19047
- b. Edward Merwitz, Deceased (Plaintiff-Decedent-Worker)  
Social Security No. 204-36-0789  
Date of Birth: October 15, 1947  
Date of Death: July 31, 2010

2. The Defendants in the instant matter are those listed in the above caption.

3. The Defendants in the instant matter are those listed in the above captioned. In addition, Plaintiff has named Defendant, METROPOLITAN LIFE INSURANCE COMPANY, which was not named in Plaintiffs= Master General Long Form Complaint, No. 89-90000-11-2.

Defendant, METROPOLITAN LIFE INSURANCE COMPANY, is an insurance company organized and existing under the laws of the State of New York, has its principal place of business in the State of New York and at all times material hereto was doing business in the Commonwealth of Pennsylvania. It is sued for its conduct and omissions as a consultant to certain defendants.

4. Plaintiff-decedent's asbestos exposure history, including to the extent possible at this time, the asbestos manufacturers and products to which Plaintiff-decedent was exposed; and the inclusive dates of exposure and job site(s) is attached hereto as Exhibit I.



5. Plaintiff-decedent's estate first learned of Decedent's asbestos-related disease, Mesothelioma, on or about January 13, 2010 from Dr. Mark Igoe. Plaintiff-decedent's estate first became aware of his asbestos-related disease only after the diagnosis date.

6. Plaintiff-worker's history of tobacco use is as follows:

Plaintiff-decedent was a lifetime non-smoker.

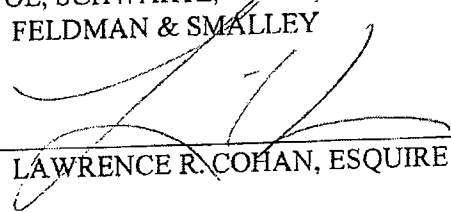
7. A claim for lost wages is asserted at this time.

8. Pursuant to an Order dated July 30, 1986 signed by the Honorable Richard B. Klein and the Honorable Edward J. Blake allowing for the filing of a "Short Form Complaint" and a "Master Long Form Complaint," Plaintiffs have filed the instant Complaint. Plaintiff (s) hereby incorporate(s) the "Master Long Form Complaint" as if that document was set forth at length herein including, but not limited to:

Count I	-	Negligence and Outrageous Conduct
Count II	-	Strict Liability
Count III	-	Conspiracy
Count IV	-	Breach of Warranty
Count VI	-	Loss of Consortium
Count IX	-	Metlife
Count XI	-	Wrongful Death
Count XII	-	Damages

ANAPOL, SCHWARTZ, WEISS, COHAN  
FELDMAN & SMALLEY

BY

  
LAWRENCE R. COHAN, ESQUIRE

**VERIFICATION**

I, Rosemarie Merwitz, Administratrix of the Estate of Edward Merwitz, deceased, hereby state that I am the Plaintiff and verify that the statements made in the foregoing COMPLAINT, are true and correct to the best of my knowledge, information and belief. The undersigned understands that the statement therein is made subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities.

x Rosemarie Merwitz  
Rosemarie Merwitz, Administratrix  
of the Estate of Edward Merwitz, Deceased

DATED: 11/10/10

EDWARD MERWITZ  
EXHIBIT I  
(PLAINTIFF-DECEDENT'S WORK HISTORY)

Commencement Date	Cessation Date	Employer Location	Social Security Number	Job Description	Asbestos Manufacturers Products
1965	1971	Philadelphia Naval Ship Yard  Ships Worked on: USS Saratoga USS Shangri-la USS New Orleans USS Chilton	210-34-3002	Apprentice Ship Fitter	See detailed description in Plaintiff's Master Long Form Complaint